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5 **NOT FOR CITATION**

6
7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA

9
10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 No. C 02-388 PJH

13 v.

14 **ORDER RE: BRIEFING ON
ADDITIONAL PRETRIAL MOTIONS**

15 ALCUIN OREGANA,

16 Defendant.
_____/

17 On December 20, 2005, defendant filed a renewed motion to exclude testimony from
18 the toolmark examiner based on the government's alleged violations of the court's orders.
19 The government is hereby ORDERED to file and serve its response to defendant's
20 motion **no later than 4:00 p.m. on Wednesday, January 4, 2006**. No reply will be
21 permitted.

22 On December 22, 2005, the government filed a motion for a court-ordered pretrial
23 psychiatric examination and request for discovery. It filed a subsequent memorandum in
24 support of its motion on December 30, 2005. Defendant is hereby ordered to file and serve
25 its response to defendant's motion **no later than 4:00 p.m. on Wednesday, January 4,**
26 **2006**. The government shall file and serve a reply, if any, **no later than 4:00 p.m. on**
27 **Thursday, January 5, 2006**.

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United States District Court

For the Northern District of California

1 Additionally, the parties are reminded that on December 20, 2005, the court ordered
2 the parties to brief the admissibility of Dr. Perez-Arce's proffered testimony pursuant to
3 Federal Rule of Evidence 704(b). Pursuant to that order, defendant's brief is to be filed and
4 served **no later than noon on Wednesday, January 4, 2006**. The government's response
5 is due **no later than noon on Friday, January 6, 2006**.

6 Because of the approaching January 9, 2006 trial date, **THE COURT WILL NOT**
7 **CONSIDER UNTIMELY FILINGS**. The parties are further reminded that the court's final
8 pretrial order requires that **TWO COURTESY COPIES** of all documents filed with this court
9 shall be delivered to Judge Hamilton's chambers **at the same time that any filing is made**.

10 **IT IS SO ORDERED.**

12 Dated: January 3, 2006



14 **PHYLLIS J. HAMILTON**
15 United States District Judge

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